



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB3609

by Rep. John D. Anthony

#### SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Amends the Unified Code of Corrections. Provides that the Department of Corrections Parole Division shall collect a fee of \$20 per month from all persons over the age of 18 who are supervised on presumptive release, parole, mandatory supervised release, conditional release, or post-release by the Department. Provides that moneys from the fee shall be deposited into the Illinois Department of Corrections Parole Division Offender Supervision Fund in the State treasury. Provides that the Parole Division may waive all or part of the fee where, because of the indigence of the offender, the payment of the fee would impose an unreasonable hardship on the person convicted, his or her immediate family, or any other person who is dependent on the convicted person for financial support. Provides that the fee shall not constitute a condition of parole supervision. Effective immediately.

LRB099 09040 RLC 29227 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Unified Code of Corrections is amended by  
5 changing Section 3-14-1 as follows:

6 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

7 Sec. 3-14-1. Release from the Institution.

8 (a) Upon release of a person on parole, mandatory release,  
9 final discharge or pardon the Department shall return all  
10 property held for him, provide him with suitable clothing and  
11 procure necessary transportation for him to his designated  
12 place of residence and employment. It may provide such person  
13 with a grant of money for travel and expenses which may be paid  
14 in installments. The amount of the money grant shall be  
15 determined by the Department.

16 (a-1) The Department shall, before a wrongfully imprisoned  
17 person, as defined in Section 3-1-2 of this Code, is discharged  
18 from the Department, provide him or her with any documents  
19 necessary after discharge, including an identification card  
20 under subsection (e) of this Section.

21 (a-2) The Department of Corrections may establish and  
22 maintain, in any institution it administers, revolving funds to  
23 be known as "Travel and Allowances Revolving Funds". These

1 revolving funds shall be used for advancing travel and expense  
2 allowances to committed, paroled, and discharged prisoners.  
3 The moneys paid into such revolving funds shall be from  
4 appropriations to the Department for Committed, Paroled, and  
5 Discharged Prisoners.

6 (b) (Blank).

7 (c) Except as otherwise provided in this Code, the  
8 Department shall establish procedures to provide written  
9 notification of any release of any person who has been  
10 convicted of a felony to the State's Attorney and sheriff of  
11 the county from which the offender was committed, and the  
12 State's Attorney and sheriff of the county into which the  
13 offender is to be paroled or released. Except as otherwise  
14 provided in this Code, the Department shall establish  
15 procedures to provide written notification to the proper law  
16 enforcement agency for any municipality of any release of any  
17 person who has been convicted of a felony if the arrest of the  
18 offender or the commission of the offense took place in the  
19 municipality, if the offender is to be paroled or released into  
20 the municipality, or if the offender resided in the  
21 municipality at the time of the commission of the offense. If a  
22 person convicted of a felony who is in the custody of the  
23 Department of Corrections or on parole or mandatory supervised  
24 release informs the Department that he or she has resided,  
25 resides, or will reside at an address that is a housing  
26 facility owned, managed, operated, or leased by a public

1 housing agency, the Department must send written notification  
2 of that information to the public housing agency that owns,  
3 manages, operates, or leases the housing facility. The written  
4 notification shall, when possible, be given at least 14 days  
5 before release of the person from custody, or as soon  
6 thereafter as possible. The written notification shall be  
7 provided electronically if the State's Attorney, sheriff,  
8 proper law enforcement agency, or public housing agency has  
9 provided the Department with an accurate and up to date email  
10 address.

11 (c-1) (Blank).

12 (c-2) The Department shall establish procedures to provide  
13 notice to the Department of State Police of the release or  
14 discharge of persons convicted of violations of the  
15 Methamphetamine Control and Community Protection Act or a  
16 violation of the Methamphetamine Precursor Control Act. The  
17 Department of State Police shall make this information  
18 available to local, State, or federal law enforcement agencies  
19 upon request.

20 (c-5) If a person on parole or mandatory supervised release  
21 becomes a resident of a facility licensed or regulated by the  
22 Department of Public Health, the Illinois Department of Public  
23 Aid, or the Illinois Department of Human Services, the  
24 Department of Corrections shall provide copies of the following  
25 information to the appropriate licensing or regulating  
26 Department and the licensed or regulated facility where the

1 person becomes a resident:

2 (1) The mittimus and any pre-sentence investigation  
3 reports.

4 (2) The social evaluation prepared pursuant to Section  
5 3-8-2.

6 (3) Any pre-release evaluation conducted pursuant to  
7 subsection (j) of Section 3-6-2.

8 (4) Reports of disciplinary infractions and  
9 dispositions.

10 (5) Any parole plan, including orders issued by the  
11 Prisoner Review Board, and any violation reports and  
12 dispositions.

13 (6) The name and contact information for the assigned  
14 parole agent and parole supervisor.

15 This information shall be provided within 3 days of the  
16 person becoming a resident of the facility.

17 (c-10) If a person on parole or mandatory supervised  
18 release becomes a resident of a facility licensed or regulated  
19 by the Department of Public Health, the Illinois Department of  
20 Public Aid, or the Illinois Department of Human Services, the  
21 Department of Corrections shall provide written notification  
22 of such residence to the following:

23 (1) The Prisoner Review Board.

24 (2) The chief of police and sheriff in the municipality  
25 and county in which the licensed facility is located.

26 The notification shall be provided within 3 days of the

1 person becoming a resident of the facility.

2 (d) Upon the release of a committed person on parole,  
3 mandatory supervised release, final discharge or pardon, the  
4 Department shall provide such person with information  
5 concerning programs and services of the Illinois Department of  
6 Public Health to ascertain whether such person has been exposed  
7 to the human immunodeficiency virus (HIV) or any identified  
8 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

9 (e) Upon the release of a committed person on parole,  
10 mandatory supervised release, final discharge, pardon, or who  
11 has been wrongfully imprisoned, the Department shall provide  
12 the person who has met the criteria established by the  
13 Department with an identification card identifying the person  
14 as being on parole, mandatory supervised release, final  
15 discharge, pardon, or wrongfully imprisoned, as the case may  
16 be. The Department, in consultation with the Office of the  
17 Secretary of State, shall prescribe the form of the  
18 identification card, which may be similar to the form of the  
19 standard Illinois Identification Card. The Department shall  
20 inform the committed person that he or she may present the  
21 identification card to the Office of the Secretary of State  
22 upon application for a standard Illinois Identification Card in  
23 accordance with the Illinois Identification Card Act. The  
24 Department shall require the committed person to pay a \$1 fee  
25 for the identification card.

26 For purposes of a committed person receiving an

1 identification card issued by the Department under this  
2 subsection, the Department shall establish criteria that the  
3 committed person must meet before the card is issued. It is the  
4 sole responsibility of the committed person requesting the  
5 identification card issued by the Department to meet the  
6 established criteria. The person's failure to meet the criteria  
7 is sufficient reason to deny the committed person the  
8 identification card. An identification card issued by the  
9 Department under this subsection shall be valid for a period of  
10 time not to exceed 30 calendar days from the date the card is  
11 issued. The Department shall not be held civilly or criminally  
12 liable to anyone because of any act of any person utilizing a  
13 card issued by the Department under this subsection.

14 The Department shall adopt rules governing the issuance of  
15 identification cards to committed persons being released on  
16 parole, mandatory supervised release, final discharge, or  
17 pardon.

18 (f) The Department of Corrections Parole Division shall  
19 collect a fee of \$20 per month from all persons over the age of  
20 18 who, after the effective date of this amendatory Act of the  
21 99th General Assembly, are supervised on presumptive release,  
22 parole, mandatory supervised release, conditional release, or  
23 post-release by the Department. Moneys from the fee shall be  
24 deposited into the Illinois Department of Corrections Parole  
25 Division Offender Supervision Fund in the State treasury. The  
26 Parole Division shall waive all or part of the fee where,

1 because of the indigence of the offender, the payment of the  
2 fee would impose an unreasonable hardship on the person  
3 convicted, his or her immediate family, or any other person who  
4 is dependent on the convicted person for financial support.

5 The fee authorized by this subsection shall not constitute,  
6 nor be imposed as, a condition of parole supervision.

7 In the event of non-payment of any fees which have not been  
8 waived by the Parole Division, the Parole Division may seek to  
9 enforce payment in any manner permitted by law for enforcement  
10 of a debt owed to the State.

11 (Source: P.A. 97-560, eff. 1-1-12; 97-813, eff. 7-13-12;  
12 98-267, eff. 1-1-14.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.